



28 August 2019

Ms Karen Harragon  
Director Social and Other Infrastructure Assessments  
Department of Planning, Industry and Environment

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Dear Ms Harragon

### **St Aloysius College Redevelopment (SSD 8669)**

In its consideration of the abovementioned application, the Commission has identified a number of matters that require further clarification. These matters were previously outlined in two letters sent to the Department, which were dated 26 and 27 August 2019.

The Commission has now written to the Applicant requesting additional information and clarification. Please see attached letter for the Department's reference.

The Commission seeks the following clarification, advice and information from the Department:

#### **Use of roof terraces out of school hours:**

1. Is the Department aware of any relevant approvals applying to the use of the Chapel Terrace Roof for External Group Venue Hire events or if they were carried out as an incidental or ancillary use to the school.
2. The Commission seeks further details on the additional External Group Venue Hire events that are proposed to be held 10 times per year on the new roof terrace for up to 300 people. In particular, while the Commission notes that such uses are permissible with consent under Section 4.38(3) of the EP&A Act, it seeks advice on whether such events:
  - a. are considered to be "ordinarily incidental or ancillary" to development for the purposes of Education Establishments, as per the site's SP2 Infrastructure zoning under North Sydney Local Environmental Plan 2013; and/or
  - b. are considered to be for "the physical, social, cultural or intellectual development or welfare of the community", as per clause 35(5) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).
3. The Commission seeks clarification on how the Department has assessed the increase in numbers from 320 to 1500 for the New Year's Eve school related activity and the number of events with 100 or more people to be held on the terraces outside school hours (over 60) in relation to clause 35(5) of the Education SEPP.



### **New rooftop structures**

4. The Commission is currently considering the proposed new rooftop plant enclosures, including that it may result in avoidable visual impacts from surrounding residences and public places (in particular, the Sydney Harbour Bridge) and, further, may not be consistent with the Schools – design quality principles contained in Schedule 4 of the Education SEPP. Accordingly, the Commission is considering the drafting of a condition that would require the new rooftop plant enclosures to be integrated and contained wholly within the building envelope so that they are not separate elements. The Commission acknowledges that this may require internal re-planning and a minor loss of gross floor area but considers this to be reasonable. The Commission seeks advice from the Department in drafting a condition of consent to this effect for consideration.

### **Junior School**

5. Revised concept plans for the Junior School were provided by the Applicant's consultant on 15 August 2019. The plans amend the roof form and lower the ridge height of the proposed additional level. The Commission seeks advice on whether the Department has been informed by the Applicant that these plans are an amendment to the Concept Proposal development application and should be included in proposed Schedule 2 condition A4.

### **Landscaping along the eastern boundary**

6. The Commission is considering that the landscape plan at Level LV0 be amended to require that the existing ground level along the eastern boundary be retained and a garden bed of at least 1.2 m wide with its height raised accordingly matching that at the boundary. This will enable effective screen planting to be provided. The Commission seeks advice from the Department in drafting an amendment to Schedule 3 conditions B4 and E26 to this effect.

The Commission would be grateful if the Department could provide a response to these matters, if possible, by close of business **Friday 30 August 2019**. The Commission notes there is merit in meeting on **Monday 2 September 2019**, to discuss the draft conditions and understand how relevant issues have been assessed by the Department.

In addition to the above matters, the Commission is currently further considering the potential noise and amenity impacts of the proposed roof terrace and the extent to which these impacts are addressed in the Application documentation (including the Noise Impact Assessment). The Commission may request additional information from the Department on these matters.

If you have any questions, please contact Xanthe O'Donnell, Principal Planning Officer, on 9383 2124 or at [xanthe.odonnell@environment.nsw.gov.au](mailto:xanthe.odonnell@environment.nsw.gov.au).

Yours sincerely

Anna Summerhayes  
**A/Executive Director**  
**Independent Planning Commission**